



Atty. Docket No.: 18396/1140

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Robinson, et al.
Serial No.: 09/484,629
Filed: January 18, 2000
Entitled: OBESITY GENE

Examiner: Woitach, J.
Group Art Unit: 1632

CERTIFICATE OF MAILING UNDER 37 CFR 1.10

I hereby certify that the paper (and any paper or fee referred to as being enclosed) is being deposited with the United States Postal Service using Express Mail to Addressee Service, under 37 C.F.R. Section 1.10, Express Mail Label No. EL728728929US on this date, May 2, 2001, postage prepaid, in an envelope addressed to Box: Patent Application, Commissioner for Patents, Washington, D.C. 20231.

Kathleen M. Williams

Name of Person Mailing Paper

Signature of Person Mailing Paper

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Box: SEQUENCE LISTING
Commissioner for Patents
Washington, D.C. 20231

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TRANSMITTAL LETTER

Enclosed for filing the above-identified patent application, please find the following documents:

1. Amendment and Response to Notice to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures;
2. Copy of Notice to Comply;
3. Paper copy of Sequence Listing;
4. Computer readable copy of the Sequence Listing;
5. Substitution of sheets containing new SEQ ID Nos.;
6. Two month Extension of Time for Filing the Response to Notice to Comply With Requirements for Patent Applications Containing Nucleotide Sequence And/Or Amino Acid Sequence Disclosures;
7. Check in the amount of \$195.00 to cover fee for Extension of Time; and
8. Return Post Card.

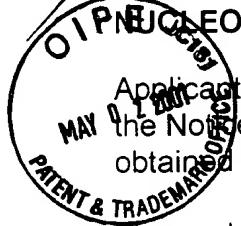
The Commissioner for Patents is hereby authorized to charge any additional fees or credit any overpayment in the total fees to Deposit Account No. 16-0085, Reference 18396/1140. A duplicate of this transmittal letter is enclosed for this purpose.

Respectfully submitted,

Date: May 2, 2001


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**NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING
NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES**



Applicant must file the items indicated below within the time period set the Office action to which the Notice is attached to avoid abandonment under 35 U.S.C. § 133 (extensions of time may be obtained under the provisions of 37 CFR 1.136(a)).

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):

- 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998).
- 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).
- 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).
- 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing."
- 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).
- 6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).
- 7. Other: Applicants response was incomplete. The amendment did not contain new SEQ ID NOS for the sequences recited in the claims, nor a CRF diskette.

Applicant Must Provide:

- An initial or substitute computer readable form (CRF) copy of the "Sequence Listing".
- An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification.
- A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:

For Rules Interpretation, call (703) 308-4216

For CRF Submission Help, call (703) 308-4212

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Applicants Copy

SERIAL NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
09/484,629	01/18/2000	Robinson et al.	018396/1140

EXAMINER	
Joseph T. Woitach	
ART UNIT	PAPER NUMBER
1632	16

Please find below a communication from the EXAMINER in charge of this application

Applicants' amendments filed April 5, 2001, papers 12-15, have been received and entered. Applicants election of Group II with traverse is noted.

The communication filed April 5, 2001, is not fully responsive to the Office communication mailed February 2, 2001, for the reason(s) set forth on the attached Notice To Comply With The Sequence Rules and below. Applicant must comply with the requirements of the sequence rules (37 CFR 1.821 - 1.825) before the application can be examined under 35 U.S.C. §§ 131 and 132.

If a complete reply has not been submitted by the time the period set in the Office communication mailed February 2, 2001 has expired, this application will become abandoned under 37 CFR 1.821(g) unless applicant corrects the deficiency and obtains an extension of time under 37 CFR 1.136(a).

As noted in the previous office action, the claims contain polynucleotide and polypeptide sequences which do not have SEQ ID NOS, and a new sequence listing containing these sequences and a new CRF diskette must be submitted.

Any inquiry concerning this communication should be directed to Examiner Joseph T. Woitach Art Unit 1632, whose telephone number is (703)305-3732.

Any inquiry of a general nature or relating to the status of this application should be directed to Kay Pinkney whose telephone number is (703) 305-3553.

SCOTT D. PRIEBE, PH.D
PRIMARY EXAMINER